

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

| | | |
|-------------------------------------|---|------------------------|
| VICKI DORROUGH, individually, |) | |
| and as Special Administrator of the |) | |
| ESTATE OF MATTHEW DORROUGH, |) | |
| Deceased, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Case No. CIV-14-1389-D |
| |) | |
| THE GEO GROUP, INC., a Florida |) | |
| Corporation, d/b/a LAWTON |) | |
| CORRECTIONAL FACILITY, and |) | |
| JOSEPH PALONE, |) | |
| |) | |
| Defendants. |) | |

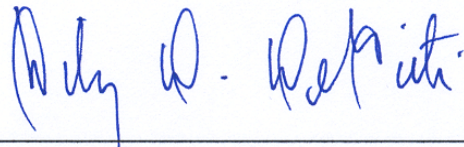
ORDER

Following the removal of this case to federal court, Defendant The GEO Group, Inc. filed a Notice of Pending Motions, in accordance with LCvR81.2(b), regarding motions it had previously filed in state court.¹ Upon review of the Notice, and examination of the case record, the Court finds that the first motion to dismiss [Doc. No. 13-1] is moot, except to the extent it is incorporated in the second motion to dismiss. After the first motion was filed, Plaintiff filed an amended pleading, which superseded her prior pleading. *See Davis v. TXO Prod. Corp.*, 929 F.2d 1515, 1517 (10th Cir. 1991); *see also Mink v. Suthers*, 482 F.3d 1244, 1254 (10th Cir. 2007). Thus, any motions directed at prior pleadings are moot.

¹ To date, however, Defendant has not provided a courtesy copy of its filing, as required by LCvR5.1 and the ECF Policy & Procedures Manual, § II.A.5. Defendant shall promptly cure this omission.

Further, the second motion to dismiss is not ripe for consideration because Plaintiff has not responded to it. The case was removed from state court before Plaintiff's response was due to be filed. Accordingly, the Court directs Plaintiff to file a response to Defendant The GEO Group's Motion to Dismiss Plaintiff's Second Amended Petition [Doc. No. 13-4] within 21 days from the date of this Order.

IT IS SO ORDERED this 23rd day of December, 2014.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE